

STATE OF MICHIGAN
COURT OF APPEALS

In re GEORGE GLEATON, Minor.

PEOPLE OF THE STATE OF MICHIGAN,

Petitioner-Appellee,

v

GEORGE GLEATON,

Respondent-Appellant.

UNPUBLISHED

May 19, 2005

No. 252423

Wayne Circuit Court

LC No. 03-417088

Before: Murphy, P.J., and White and Smolenski, JJ.

MEMORANDUM.

After respondent (DOB 9-15-87) entered a plea of guilty to a charge of gross indecency, the trial court entered an order of disposition placing him with the Wayne County Department of Community Justice for placement in a facility where he can get sexual offender treatment. Respondent appeals as of right. We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondent first argues that the trial court failed to comply with MCR 6.931(E)(5) by making findings of fact and conclusions of law to support respondent's placement with the Wayne County Department of Community Justice. However, MCR 6.931(E)(5) does not apply to criminal proceedings concerning a juvenile where, as here, petitioner has approved the filing of a petition in the family division of the circuit court, rather than a criminal complaint. See MCR 6.901(B).

Respondent further asserts that the trial court abused its discretion by failing to consider alternatives to placement outside the home that would have been consistent with the treatment plan/sentence. Respondent claims that the goals of placement could have been met at home, which would have been preferable, and that the court failed to weigh the alternatives. We disagree.

The court's order of disposition indicates that it relied on the Clinic for Child Study Report in concluding that placement in the home is contrary to respondent's welfare because his mother is unable to control his behavior. The report indicates that respondent was adversely affected by witnessing the abuse of his mother in the home, and that "the overall family

dysfunction has likely contributed significantly to [respondent's] anger, hostility, and anti-social attitudes and behavior.” Further, respondent's mother indicated she had problems with respondent not attending school. Additionally, the report supported that respondent needed a level of structure and supervision that was not available at home.

Affirmed.

/s/ William B. Murphy

/s/ Helene N. White

/s/ Michael R. Smolenski